

JOURNAL OF THE HOUSE

EIGHTY-EIGHTH SESSION

FOURTEENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, January 29, 2013

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor Karl Kroger, followed by the Pledge of Allegiance led by House pages Patience Lunday and Zoe Pease.

Roll Call: All members present except Rep. Qualm who was excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the thirteenth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Brian G. Gosch, Chair

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on Agriculture and Natural Resources respectfully reports that it has had under consideration HB 1048, 1049, 1059, and 1062 and returns the same with the recommendation that said bills do pass and be placed on the consent calendar.

Also MR. SPEAKER:

The Committee on Agriculture and Natural Resources respectfully reports that it has had under consideration HB 1057 and returns the same with the recommendation that said bill be referred to the Committee on Appropriations.

Respectfully submitted,
Charles B. Hoffman, Chair

Also MR. SPEAKER:

The Committee on Taxation respectfully reports that it has had under consideration HB 1140 and SB 58 and returns the same with the recommendation that said bills do pass.

Respectfully submitted,
Brock L. Greenfield, Chair

Also MR. SPEAKER:

The Committee on Local Government respectfully reports that it has had under consideration HB 1081 and 1107 and returns the same with the recommendation that said bills do pass.

Also MR. SPEAKER:

The Committee on Local Government respectfully reports that it has had under consideration HB 1085 and 1099 and returns the same with the recommendation that said bills do pass and be placed on the consent calendar.

Respectfully submitted,
Tim Rounds, Chair

1 Also MR. SPEAKER:

2 The Committee on Transportation respectfully reports that it has had under consideration
3 HB 1144 and returns the same with the recommendation that said bill be amended as follows:

4 1144oa

5 On page 1, line 9, of the printed bill, delete "ten days" and insert "twenty-four hours".

6 And that as so amended said bill do pass.

7 Also MR. SPEAKER:

8 The Committee on Transportation respectfully reports that it has had under consideration
9 HB 1145 which was deferred to the 41st Legislative Day.

10 Respectfully submitted,
11 Mike Verchio, Chair

12 **MESSAGES FROM THE SENATE**

13 MR. SPEAKER:

14 I have the honor to return herewith HCR 1002 and 1003 in which the Senate has concurred.

15 Also MR. SPEAKER:

16 I have the honor to transmit herewith SB 17, 18, 19, 22, 27, 41, 53, 59, 78, 85, 90, and 103
17 which have passed the Senate and your favorable consideration is respectfully requested.

18 Respectfully,
19 Jeannette Schipper, Secretary

20 There being no objection, the House proceeded to Order of Business No. 9.

21 **CONSIDERATION OF REPORTS OF COMMITTEES**

22 Rep. Lust moved that the reports of the Standing Committees on

23 State Affairs on HB 1170 as found on page 202 of the House Journal; also

- 1 State Affairs on HB 1180 as found on page 202 of the House Journal; also
2 Commerce and Energy on HB 1052 as found on page 203 of the House Journal; also
3 Judiciary on HB 1150 as found on page 204 of the House Journal; also
4 Judiciary on HB 1163 as found on page 204 of the House Journal be adopted.
5 Which motion prevailed.

6 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

7 HB 1249 Introduced by: The Committee on Appropriations

8 FOR AN ACT ENTITLED, An Act to provide salary assistance to counties for veterans
9 service officers.

10 Was read the first time and referred to the Committee on State Affairs.

11 HB 1250 Introduced by: The Committee on Appropriations

12 FOR AN ACT ENTITLED, An Act to honor veterans as certain persons who performed
13 service in reserve components.

14 Was read the first time and referred to the Committee on State Affairs.

15 HJR 1003 Introduced by: The Committee on Taxation

16 A JOINT RESOLUTION, Making formal application to Congress to call a limited
17 constitutional convention for the sole purpose of proposing a federal balanced budget
18 amendment.

19 Was read the first time and referred to the Committee on Taxation.

20 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

21 SB 17: FOR AN ACT ENTITLED, An Act to make an appropriation from the coordinated
22 natural resources conservation fund to the State Conservation Commission.

23 Was read the first time and referred to the Committee on Agriculture and Natural
24 Resources.

1 SB 18: FOR AN ACT ENTITLED, An Act to authorize the Department of Agriculture to
2 construct a 4-H exhibit hall in Huron and to make an appropriation therefor.

3 Was read the first time and referred to the Committee on Appropriations.

4 SB 19: FOR AN ACT ENTITLED, An Act to authorize the Department of Agriculture to
5 construct a housing unit in Huron, to make an appropriation therefor, and to declare an
6 emergency.

7 Was read the first time and referred to the Committee on Appropriations.

8 SB 22: FOR AN ACT ENTITLED, An Act to make an appropriation for the construction
9 and renovation of certain office buildings in Rapid City for the Department of Agriculture and
10 to declare an emergency.

11 Was read the first time and referred to the Committee on Appropriations.

12 SB 27: FOR AN ACT ENTITLED, An Act to revise previous session laws related to the
13 design, construction, and equipping of a veterans home near Hot Springs, to make an
14 appropriation therefor, and to declare an emergency.

15 Was read the first time and referred to the Committee on Appropriations.

16 SB 41: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
17 requirements for school bus inspection and to authorize the Highway Patrol to approve school
18 bus inspectors.

19 Was read the first time and referred to the Committee on Transportation.

20 SB 53: FOR AN ACT ENTITLED, An Act to expand the application of the farm decal
21 system.

22 Was read the first time and referred to the Committee on Transportation.

23 SB 59: FOR AN ACT ENTITLED, An Act to prohibit the disposal of certain oil and gas
24 field wastes.

25 Was read the first time and referred to the Committee on Agriculture and Natural
26 Resources.

SB 78: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to medical requirements for intrastate drivers transporting passengers and to update certain references to federal statutes.

Was read the first time and referred to the Committee on Transportation.

SB 85: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the production incentive payment available to ethanol producers.

Was read the first time and referred to the Committee on Commerce and Energy.

SB 90: FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for fiscal year 2013, to provide funding for the increased costs associated with the employee health insurance and internal service bureaus, and to declare an emergency.

Was read the first time and referred to the Committee on Appropriations.

SB 103: FOR AN ACT ENTITLED, An Act to remove the required waiting period before cremated remains may be released to be scattered.

Was read the first time and referred to the Committee on Health and Human Services.

SECOND READING OF CONSENT CALENDAR ITEMS

HB 1035: FOR AN ACT ENTITLED, An Act to allow electronic submission and record keeping of placed in service reports.

Was read the second time.

The question being "Shall HB 1035 pass?"

And the roll being called:

Yeas 69, Nays 0, Excused 1, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
3 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
4 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
5 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;
6 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;
7 Peterson; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
8 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
9 Wick; Wink; Wismer; Speaker Gosch

10 Excused:

11 Qualm

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

15 HB 1098: FOR AN ACT ENTITLED, An Act to increase the bonding limit for the four
16 technical institutes.

17 Was read the second time.

18 The question being "Shall HB 1098 pass?"

19 And the roll being called:

20 Yeas 68, Nays 1, Excused 1, Absent 0

21 Yeas:

22 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
23 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
24 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
25 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;
26 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;
27 Peterson; Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly;
28 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;
29 Wismer; Speaker Gosch

30 Nays:

31 Russell

32 Excused:

33 Qualm

1 So the bill having received an affirmative vote of a majority of the members-elect, the
2 Speaker declared the bill passed and the title was agreed to.

3 HB 1030: FOR AN ACT ENTITLED, An Act to authorize the South Dakota Building
4 Authority to finance the construction of improvements in the state park system for the
5 Department of Game, Fish and Parks and to declare an emergency.

6 Was read the second time.

7 The question being "Shall HB 1030 pass as amended?"

8 And the roll being called:

9 Yeas 66, Nays 3, Excused 1, Absent 0

10 Yeas:

11 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
12 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Hajek; Hansen;
13 Hawks; Hawley; Heinemann (Leslie); Heinert; Hoffman; Hunhoff (Bernie); Johns; Kaiser;
14 Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman;
15 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Rasmussen; Ring;
16 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;
17 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
18 Speaker Gosch

19 Nays:

20 Haggar (Jenna); Hickey; Nelson

21 Excused:

22 Qualm

23 So the bill having received an affirmative vote of a two-thirds majority of the members-
24 elect, the Speaker declared the bill passed and the title was agreed to.

25 There being no objection, the House reverted to Order of Business No. 8.

26 MOTIONS AND RESOLUTIONS

27 HR 1001: A RESOLUTION, endorsing the induction of Tom C. Miller into the PRCA
28 Rodeo Hall of Fame.

29 Rep. Wink moved that HR 1001 as found on page 205 of the House Journal be adopted.

1 The question being on Rep. Wink's motion that HR 1001 be adopted.

2 And the roll being called:

3 Yeas 69, Nays 0, Excused 1, Absent 0

4 Yeas:

5 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
6 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
7 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
8 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;
9 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;
10 Peterson; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
11 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
12 Wick; Wink; Wismer; Speaker Gosch

13 Excused:

14 Qualm

15 So the motion having received an affirmative vote of a majority of the members-elect, the
16 Speaker declared the motion carried and HR 1001 was adopted.

17 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

18 (continued)

19 HB 1113: FOR AN ACT ENTITLED, An Act to expand the definition of teleconference
20 to include certain meetings conducted through electronic text colloquy and to require the
21 retention of certain records of text colloquy meetings for public inspection.

22 Was read the second time.

23 1113fb

24 Rep. Munsterman moved that HB 1113 be amended as follows:

25 On page 3, line 4, of the House State Affairs Committee engrossed bill, delete "chart" and
26 insert "chat".

27 Which motion prevailed.

28 The question being "Shall HB 1113 pass as amended?"

29 And the roll being called:

1 Yeas 35, Nays 34, Excused 1, Absent 0

2 Yeas:

3 Bartling; Bolin; Cammack; Dryden; Feickert; Feinstein; Gibson; Haggar (Don); Hajek; Hansen;
4 Hawks; Hawley; Heinemann (Leslie); Heinert; Hunhoff (Bernie); Kirschman; Kopp; Lust;
5 Mickelson; Munsterman; Nelson; Parsley; Peterson; Rasmussen; Ring; Russell; Schaefer;
6 Schoenfish; Schrempp; Sly; Stalzer; Tulson; Westra; Wink; Wismer

7 Nays:

8 Campbell; Carson; Conzet; Craig; Cronin; Duvall; Ecklund; Erickson; Greenfield; Haggar
9 (Jenna); Hickey; Hoffman; Johns; Kaiser; Killer; Latterell; Magstadt; May; Miller; Novstrup
10 (David); Olson (Betty); Otten (Herman); Romkema; Rounds; Rozum; Soli; Solum; Steele;
11 Stevens; Tyler; Verchio; Werner; Wick; Speaker Gosch

12 Excused:

13 Qualm

14 So the bill not having received an affirmative vote of a majority of the members-elect, the
15 Speaker declared the bill lost.

16 Rep. Munsterman announced his intention to reconsider the vote by which HB 1113 lost.

17 HB 1087: FOR AN ACT ENTITLED, An Act to provide for the creation of school sentinel
18 programs and for the training of school sentinels.

19 Was read the second time.

20 1087ce

21 Rep. Mickelson moved that HB 1087 be amended as follows:

22 On page 1, line 6, of the House Education Committee engrossed bill, delete ", in its sole
23 discretion,".

24 On page 1, line 12, delete "county sheriff" and insert "law enforcement official".

25 Which motion prevailed.

26 1087rb

27 Rep. Bartling moved that HB 1087 be further amended as follows:

28 On page 5, after line 5 of the House Education Committee engrossed bill, insert:

" Section 10. There is hereby appropriated from the general fund the sum of two hundred fifty thousand dollars (\$250,000), or so much thereof as may be necessary, to the Department of Education to fund a grant program to support the implementation of the school sentinel program.

Section 11. The secretary of education shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

Section 12. Any amounts appropriated in this Act not lawfully expended or obligated by June 30, 2014, shall revert in accordance with the procedures prescribed in chapter 4-8.

A roll call vote was requested and supported.

The question being on Rep. Bartling's motion that HB 1087 be further amended.

And the roll being called:

Yeas 18, Nays 51, Excused 1, Absent 0

Yeas:

Bartling; Feickert; Feinstein; Gibson; Hawks; Hawley; Heinert; Hunhoff (Bernie); Killer; Kirschman; Nelson; Parsley; Peterson; Ring; Schrempp; Soli; Tyler; Wismer

Nays:

Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Heinemann (Leslie); Hickey; Hoffman; Johns; Kaiser; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Rasmussen; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Solum; Stalzer; Steele; Stevens; Tulson; Verchio; Werner; Westra; Wick; Wink; Speaker Gosch

Excused:

Qualm

So the motion not having received an affirmative vote of a majority of the members present, the Speaker declared the motion lost.

1087cf

Rep. Wick moved that HB 1087 be further amended as follows:

On page 5 of the House Education Committee engrossed bill, delete lines 2 to 5, inclusive, and insert:

" Section 9. Any discussion or official action by a school board in regard to a school sentinel program established pursuant to this Act or any other measure implemented by the school board to ensure the safety and security of students shall take place in an executive or closed meeting held in accordance with § 1-25-2 from which no printed materials or record may be made available to the public. In addition, no request for proposal, warrant, voucher, emergency response plan, policy manual, or other document relating to the school sentinel program or other safety measures implemented by a school board is open to inspection by the public pursuant to subdivision 1-27-1.5(8).".

Which motion lost.

1087rc

Rep. Bartling moved that HB 1087 be further amended as follows:

On page 5, after line 5 of the House Education Committee engrossed bill, insert:

" Section 10. Whereas, this Act is necessary for the immediate preservation of the public peace, health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.".

A roll call vote was requested and supported.

The question being on Rep. Bartling's motion that HB 1087 be further amended.

And the roll being called:

Yeas 20, Nays 49, Excused 1, Absent 0

Yeas:

Bartling; Feickert; Feinstein; Gibson; Hawks; Hawley; Heinert; Hunhoff (Bernie); Killer; Kirschman; Munsterman; Nelson; Parsley; Peterson; Ring; Schrempp; Soli; Tulson; Tyler; Wismer

Nays:

Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Greenfield; Haggart (Don); Haggart (Jenna); Hajek; Hansen; Heinemann (Leslie); Hickey; Hoffman; Johns; Kaiser; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller; Novstrup (David); Olson (Betty); Otten (Herman); Rasmussen; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Solum; Stalzer; Steele; Stevens; Verchio; Werner; Westra; Wick; Wink; Speaker Gosch

Excused:

Qualm

1 So the motion not having received an affirmative vote of a majority of the members
2 present, the Speaker declared the motion lost.

3 Rep. Lust moved the previous question.

4 Which motion prevailed.

5 The question being "Shall HB 1087 pass as amended?"

6 And the roll being called:

7 Yeas 42, Nays 27, Excused 1, Absent 0

8 Yeas:

9 Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson;
10 Feinstein; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Heinemann (Leslie);
11 Hickey; Hoffman; Kaiser; Kopp; Latterell; Lust; May; Mickelson; Miller; Munsterman; Nelson;
12 Novstrup (David); Olson (Betty); Otten (Herman); Rasmussen; Russell; Schoenfish; Sly;
13 Stalzer; Steele; Stevens; Verchio; Westra; Wick; Speaker Gosch

14 Nays:

15 Bartling; Carson; Feickert; Gibson; Hawks; Hawley; Heinert; Hunhoff (Bernie); Johns; Killer;
16 Kirschman; Magstadt; Parsley; Peterson; Ring; Romkema; Rounds; Rozum; Schaefer;
17 Schrempp; Soli; Solum; Tulson; Tyler; Werner; Wink; Wismer

18 Excused:

19 Qualm

20 So the bill having received an affirmative vote of a majority of the members-elect, the
21 Speaker declared the bill passed and the title was agreed to.

22 HB 1073: FOR AN ACT ENTITLED, An Act to establish a procedure for the
23 determination of the competency of a juvenile to proceed in a juvenile court matter.

24 Was read the second time.

25 The question being "Shall HB 1073 pass as amended?"

26 And the roll being called:

27 Yeas 69, Nays 0, Excused 1, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
3 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
4 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
5 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;
6 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;
7 Peterson; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
8 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
9 Wick; Wink; Wismer; Speaker Gosch

10 Excused:

11 Qualm

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 HB 1096: FOR AN ACT ENTITLED, An Act to transfer on death deeds for real property.

15 Was read the second time.

16 1096jb

17 Rep. Lust moved that HB 1096 be amended as follows:

18 On page 6, line 15, of the House Judiciary Committee engrossed bill, after "owner" insert
19 "unless the proceeding is for recovery of medical assistance initiated by the Department of
20 Social Services pursuant to Title 28, in which case the proceeding shall be commenced within
21 the shorter of two years after the death of the deceased owner, or within six months of written
22 notice to the Department of Social Services with information of the owners death, social
23 security number, and if available upon reasonable investigation, the owner's spouse's name and
24 social security number".

25 On page 7, line 13, after "recorded" delete "by presenting to the county auditor" and insert
26 "with the register of deeds".

27 On page 7, line 14, after "filing" delete "with the register of deeds of that county,".

28 Which motion prevailed.

29 The question being "Shall HB 1096 pass as amended?"

30 And the roll being called:

31 Yeas 69, Nays 0, Excused 1, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
3 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
4 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
5 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;
6 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;
7 Peterson; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
8 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
9 Wick; Wink; Wismer; Speaker Gosch

10 Excused:

11 Qualm

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 HB 1106: FOR AN ACT ENTITLED, An Act to revise certain Limited Liability Company
15 statutes.

16 Was read the second time.

17 1106jd

18 Rep. Lust moved that HB 1106 be amended as follows:

19 On page 54, after line 23 of the House Judiciary Committee engrossed bill, insert:

20 " Section 45. That chapter 47-34A be amended by adding thereto a NEW SECTION to read
21 as follows:

22 Delivery of documents may be made by electronic transmission if and to the extent
23 permitted by the Office of the Secretary of State. If the document is filed in typewritten or
24 printed form and not transmitted electronically, the Office of the Secretary of State may require
25 one exact or conformed copy to be delivered with the document."

26 Which motion prevailed.

27 The question being "Shall HB 1106 pass as amended?"

28 And the roll being called:

29 Yeas 69, Nays 0, Excused 1, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
3 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
4 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
5 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;
6 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;
7 Peterson; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
8 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
9 Wick; Wink; Wismer; Speaker Gosch

10 Excused:

11 Qualm

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 HB 1130: FOR AN ACT ENTITLED, An Act to revise the amount of personal property
15 exempt from levy in bankruptcy cases.

16 Was read the second time.

17 The question being "Shall HB 1130 pass?"

18 And the roll being called:

19 Yeas 56, Nays 12, Excused 2, Absent 0

20 Yeas:

21 Bartling; Bolin; Cammack; Conzet; Craig; Dryden; Duvall; Ecklund; Erickson; Feickert;
22 Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks; Hawley; Heinemann
23 (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; Kopp;
24 Latterell; Lust; Magstadt; Mickelson; Miller; Novstrup (David); Otten (Herman); Parsley;
25 Peterson; Rasmussen; Ring; Romkema; Rounds; Russell; Schaefer; Schoenfish; Schrempp; Sly;
26 Soli; Solum; Stalzer; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

27 Nays:

28 Campbell; Carson; Greenfield; Kaiser; May; Munsterman; Nelson; Olson (Betty); Rozum;
29 Steele; Stevens; Tulson

30 Excused:

31 Cronin; Qualm

32 So the bill having received an affirmative vote of a majority of the members-elect, the
33 Speaker declared the bill passed and the title was agreed to.

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